

REMARKS

This paper is submitted in reply to the Communication from the Examiner dated February 7, 2006, regarding the Decision on Appeal dated October 28, 2005. In the Communication, a one month period for response was set, and as such, this paper is timely filed. Reconsideration and allowance of all pending claims are respectfully requested.

In the subject Decision, the Board of Patent Appeals and Interferences affirmed the Examiner's rejections of claims 1-4, 7-9, 13, 17-29, 23-26 and 29-30, but reversed the rejections of claims 5-6 and 21-22. Furthermore, in the Examiner's Communication, the Examiner required Applicants to cancel all remaining claims and to amend claims 5 and 21 to independent form.¹

Applicants have now complied with the Examiner's requirement by amending claims 5 and 21 to independent form and canceling the remaining rejected claims, leaving only claims 5-6 and 21-22 still pending. Applicants, however, are not surrendering any subject matter by way of such amendments, as Applicants reserve the right to refile the canceled claims in a continuing application. Reconsideration and allowance of claims 5-6 and 21-22 are therefore respectfully requested.

If any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

28 FEB 2006

Date



Scott A. Stinebruner
Reg. No. 38,323
WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
Telephone: (513) 241-2324
Facsimile: (513) 241-6234

¹The Examiner and the Examiner's Supervisor clarified this requirement in subsequent telephone interviews with the undersigned.